

**REMARKS**

The Office Action of April 23, 2003, has been carefully reviewed, and this paper is responsive thereto. Reconsideration and allowance are respectfully requested.

Claims 2-15, 17-24, and 28-31 are now pending. By this Amendment, claims 1, 16, and 25-27 are canceled without prejudice or disclaimer, claims 2-4, 9, 11-15, 17-19, and 24 are amended, and new claims 28-31 are added.

Claims 1-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,404,439 to Moran et al. ("Moran") in view of U.S. Patent No. 5,546,527 to Fitzpatrick et al. ("Fitzpatrick"). Applicant respectfully traverses. Applicant notes that the rejection of some of the pending claims is confusing in that the rejection of some claims does not appear to rely upon Fitzpatrick. For example, the rejection of independent claims 2, 9, 17, and 24 appears to rely solely on Moran. Applicant therefore interprets such rejections as effectively being a 35 U.S.C. § 102 rejection over Moran. However, to expedite prosecution, Applicant will also address why Fitzpatrick fails to make up for the deficiencies of Moran.

As a general matter, the Office Action appears to imply on pages 3-6 that claims 2, 9, 17, and 24 include the limitations of claims 1 and/or 16; that claim 13 includes the limitations of claims 1, 10, and/or 11; that claim 25 includes the limitations of claims 1 and/or 16; that claims 18 and 20-23 include the limitations of claim 16; and that claim 15 includes the limitations of claim 10. An inspection of the claims shows that this is incorrect.

**Independent Claim 2**

Independent claim 2 as amended recites steps including choosing whether the user's input is a stroke, a tap, a hold, or a hold and drag. Neither Moran nor Fitzgerald, either alone or in combination, teaches or suggests choosing whether a user's input is a stroke, a tap, a hold, or a hold and drag. Neither reference, nor both references together, discusses all four of the possible user inputs, let alone choosing between the four. Accordingly, claim 2 is allowable over Moran and Fitzgerald, either taken alone or in combination.

**Independent Claim 9**

Independent claim 9 is also allowable over Moran and Fitzpatrick for at least similar reasons as those discussed above with regard to claim 2, and further in view of the various features recited therein.

**Independent Claim 10**

Independent claim 10 recites steps including determining whether the stroke input satisfies a drag threshold. Moran and Fitzgerald, either alone or in any combination, simply do not teach or suggest determining whether a stroke input satisfies a drag threshold. Indeed, both references are totally silent as to a drag threshold. The Office Action refers to col. 5, lns. 22-38. However, this portion of Moran only discusses how to wipe a color onto the screen. The Office Action also refers to nearly the entirety of col. 9. However, this portion of Moran only discusses how wipe commands are used, and fails to teach, suggest, or even hint at anything about a threshold of any kind. Applicant would

appreciate the Examiner's specific indication of precisely where cols. 5 or 9 of Moran supposedly teach a drag threshold.

Claim 10 further recites a step of determining whether a stroke input started on a draggable object. The Office Action refers to Fitzgerald, col. 3, lns. 34-57 for this feature. However, this portion of Fitzgerald merely discloses that a user can drag and drop an icon. Fitzgerald still fails, however, to teach or suggest determining that a stroke input started on a draggable object. Fitzgerald simply does not address determining where a stroke begins relative to a draggable object. Accordingly, claim 10 is allowable over Moran and Fitzgerald, either taken alone or in combination.

**Independent Claim 11**

Independent claim 11 recites steps including determining that a stroke input did not start on a draggable object. Neither Moran nor Fitzgerald, either alone or in combination, teaches or suggests such a feature. The Office Action refers to Fitzgerald, col. 3, lns. 34-57 for this feature. However, this portion of Fitzgerald merely discloses that a user can drag and drop an icon. Fitzgerald still fails, however, to teach or suggest determining that a stroke input did not start on a draggable object. Fitzgerald simply does not address determining where a stroke begins relative to a draggable object. Accordingly, claim 11 is allowable over Moran and Fitzgerald, either taken alone or in combination.

**Independent Claim 13**

Independent claim 13 is directed to implementing a tap input to a computer. Claim 13 as amended recites steps including determining at least one of 1) whether a location of a tap includes wet ink, 2) whether the location is in an inline space, and 3) whether the object was previously selected. Neither Moran nor Fitzgerald, either alone or in combination, teaches or suggests determining any of these three items. The Office Action refers to Moran at col. 4, lns. 15-60, however this portion does not have anything to do with wet ink, inline space, or previous selection of an object. Accordingly, claim 13 is allowable over Moran and Fitzgerald, either taken alone or in combination.

**Independent Claim 17**

Independent claim 17 is also allowable over Moran and Fitzgerald for at least similar reasons as those set forth above with regard to claim 2, and further in view of the various features recited therein.

**Independent Claim 24**

Independent claim 24 is also allowable over Moran and Fitzgerald for at least similar reasons as those set forth above with regard to claim 2, and further in view of the various features recited therein.

**Independent Claim 28**

New independent claim 28 is allowable over the art of record. In particular, none of the art of record teaches or suggests classifying a user input to a digitizer, comprising steps of receiving the user input by the digitizer; classifying the user input as a stroke if

the user input satisfies a first move threshold; classifying the user input as a tap if the user input fails to satisfy both the first move threshold and a time threshold; classifying the user input as a hold if the user input satisfies the time threshold but fails to satisfy both the first move threshold and a second move threshold; and classifying the user input as a hold and drag if the user input satisfies both the time threshold and the second move threshold but fails to satisfy the first move threshold, as recited in claim 28.

**Independent Claim 31**

New independent claim 31 is allowable over the art of record. In particular, none of the art of record teaches or suggests implementing a stroke input to a digitizer, comprising steps of determining whether the stroke input did not start on a draggable object; responsive to the stroke input not starting on a draggable object, determining whether a location of the stroke input is inkable; and responsive to the location being inkable, adding ink to the location, as recited in claim 31.

**Dependent Claims**

All of the dependent claims are allowable for at least those reasons discussed above with regard to their respective independent claims, and further in view of the additional features recited therein.

**Conclusion**

Applicant submits that the present application is in condition for allowance, and notification of the same is respectfully requested. Should the Examiner feel that a

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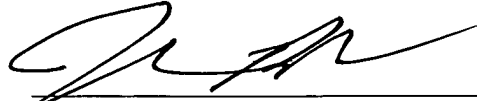
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telephone call would expedite prosecution, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Jordan N. Bodner', written over a horizontal line.

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